3 POTENTIAL ENVIRONMENTAL IMPACTS

3.1 INTRODUCTION

This section lists the basic assumptions used to prepare the IS. This analysis was conducted to help determine which environmental issues should be the focus of the OWTS EIR. The assumptions listed below also are proposed to be used while preparing the EIR.

1. Under current conditions, the State does not regulate the manner in which OWTS are constructed. OWTS are constructed in accordance with local ordinances and policies governing development within the relevant jurisdiction. The only regulatory authority imposed by the State relates to the water quality of OWTS effluent and how it interacts with site conditions and, ultimately, the environment. The proposed regulations likewise would not affect how local agencies permit projects with OWTS and the construction of OWTS, except as it relates to issues surrounding effluent quality. Construction processes would still be required to follow local ordinances and policies.

2. Because construction of OWTS would continue to be subject to the same local controls as under current conditions, the environmental impacts of constructing new OWTS would not be altered by the proposed regulations, except to the extent the new regulations could result in additional construction activities or different methods of construction, or result in different effluent quality. Further, there are no provisions in AB885 that would halt installation of OWTS in the absence of adoption of proposed regulations. Consequently, it is assumed that OWTS can continue to be installed under the current regulatory scheme up to the time that new regulations are adopted. The focus of the environmental analysis, then, is on (a) the changes to the environment resulting from changes in water quality from OWTS discharges under the proposed regulations and (b) how OWTS construction occurs under current regulations compared to how such construction would occur under the proposed regulations.

3. The proposed project would likely gradually increase the number of supplemental treatment systems and community collection systems installed over time relative to the number of conventional systems that are installed. This gradual shift would likely occur as new OWTS installations occur and as existing systems are repaired and replaced if the new regulations:

    - are more restrictive/protective of the environment than the existing OWTS regulations of ALAs and regional water boards they would replace, and

    - lead to more frequent corrective actions to protect groundwater, as required by Section 22945 of the proposed regulations, “Provisions for Protecting Impaired Groundwater.”

As required by AB 885, the proposed project would lead to a uniform approach for regulating OWTS throughout the state. Regional water boards and ALAs will retain the authority to require levels of protection that exceed those associated with the proposed regulations.

The State Water Board will use comments received during the EIR’s scoping process to update the assumptions listed above if necessary and to ensure they adequately reflect the proposed project’s range of potential impacts.

Based upon the results of the preliminary impact assessment that follows, the EIR will focus on the resource areas listed below.

- Hydrology (including groundwater and surface water hydrology)

- Geology and soils

- Water quality (including nitrates, pathogens, hazardous materials and other contaminants found in OWTS effluent)
- Public health
- Biology (focusing on biological resources associated with aquatic, wetland, and riparian habitats)
- Utilities and service systems
- Growth inducement (including the proposed project's potential to induce or restrict growth)
- Cumulative impacts (focusing on how the proposed project may contribute to cumulative impacts along with past, existing or reasonably foreseeable related actions by others)

The preliminary environmental assessment that follows identified the issue topics listed below as those that would not be significantly affected by the proposed project. Therefore, the EIR will not address these topics in detail.

- Aesthetics
- Agricultural resources
- Air quality
- Terrestrial biological resources (i.e., those resources not dependent on aquatic, riparian or wetland habitat types)
- Cultural resources
- Hazardous materials (i.e., those materials that are not included in OWTS discharges to groundwater)
- Land use and planning
- Mineral resources
- Noise
- Population and housing (potential effects on population growth will be covered in the EIR section on potential growth-inducing impacts)
- Recreation
- Transportation/Traffic

The EIR also will address potential economic and fiscal effects, including potential increases in OWTS design, siting, and installation costs that may be incurred by some OWTS owners. Other examples of potential economic effects to be addressed include the potential costs associated with OWTS permitting and groundwater monitoring, along with potential beneficial income and employment effects for the companies that provide OWTS-related services, or collect and analyze well samples. Potential fiscal effects on state, regional and local agencies also will be assessed, including potential changes in agency staffing needs, revenues or expenditures.